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WESTERN DISTRICT OF LOUISIANA  
MONROE LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

ROBERT JACKSON, III

CIVIL ACTION NO. 05-0446

VERSUS

JUDGE ROBERT G. JAMES

RICHARD STALDER, ET AL.

MAG. JUDGE JAMES D. KIRK

**RULING**

On March 9, 2005, Plaintiff Robert Jackson, III ("Jackson"), acting *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On October 3, 2003, Magistrate Judge James D. Kirk issued a report recommending that Jackson's petition be dismissed with prejudice as frivolous and for failing to state a claim upon which relief may be granted under 28 U.S.C. § 1915(e)(2)(B). A copy of this Report and Recommendation was forwarded to Jackson at the Morehouse Parish Detention Center, at his last known place of confinement. The Report and Recommendation was returned to the Clerk of Court on July 25, 2005, marked "attempt-not known."

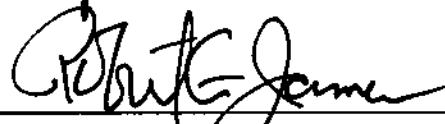
Local Rule 41.3W, in pertinent part, provides:

The failure of an attorney or *pro se* litigant to keep the Court apprised of an address change may be considered cause for dismissal for failure to prosecute when a notice is returned to the Court for the reason of an incorrect address and no correction is made to the address for a period of 30 days.

In the present case, the Magistrate Judge's Report and Recommendation was returned to the Clerk of Court as undeliverable on July 25, 2005. Jackson failed to advise the Court of his new address within the thirty-day period.

Accordingly, for the foregoing reasons, together with the reasons stated in the Magistrate Judge's Report and Recommendation [Doc. No. 4], Jackson's civil rights action is DISMISSED WITH PREJUDICE as frivolous and for failure to state a claim upon which relief may be granted under 28 U.S.C. § 1915 (d)(2)(B) and for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Local Rule 41.3W.

MONROE, LOUISIANA, this 21 day of September, 2005.

A handwritten signature in black ink, appearing to read "Robert G. James", written over a horizontal line.

ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE